IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 27TH JUNE 2007 / 6TH ASHADHA 1929

WP(C).No. 8408 of 2007(A)

PETITIONER:

BEYATRIS GREGORY, W/O.LATE
ANTHRAOUS GREGORY, CACKARIYIL HOUSE,
VADACKAL P.O., PUNNAPRA, ALAPPUZHA DISTRICT.

BY ADV. SRI.MATHEW JAMES

RESPONDENTS:

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1. UNION OF INDIA REPRESENTED BY
THE SECRETARY, MINISTRY OF HOME AFFAIRS,
FREEDOM FIGHTERS DIVISION, LOK NAYAK BHAVAN,
NEW DELHI-110 003.

2. SENIOR ACCOUNTS OFFICER, GOVERNMENT
OF INDIA, PAY AND ACCOUNTS OFFICE (PENSION &
MISC), MINISTRY OF HOME AFFAIRS, 2/10 JAN NAYAK
HOUSE, NEW DELHI-110 011.

3. STATE OF KERALA, REPRESENTED BY
THE SECRETARY TO GOVERNMENT, GENERAL
ADMINISTRATION (FFPA) DEPARTMENT, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM.

BY ADV. SRI.JOBY CYRIAC ACGSC
GOVERNMENT PLEADER SRI. BENJAMIN PAUL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)NO.8408/2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1: TRUE COPY OF THE LETTER ISSUED FROM THE DISTRICT COLLECTOR, ALAPPUZHA TO THE PETITIONER'S HUSBAND.

EXT.P2: TRUE COPY OF THE RELEVANT PORTION OF THE JUDGMENT OF THE SESSIONS COURT, ALLEPPEY.

EXT.P3: TRUE COPY OF THE PRISON CERTIFICATE SHOWING THE PERIOD OF INCARCERATION SUFFERED BUY THE PETITIONER'S LATE HUSBAND.

EXT.P4: TRUE COPY OF THE JUDGMENT DATED 29.6.2005 OF THIS HON'BLE COURT.

EXT.P5: TRUE COPY OF THE JUDGMENT DATED 7.8.2006 OF THIS HON'BLE COURT.

EXT.P6: TRUE COPY OF THE COMMUNICATION DATED 12.9.2006.

EXT.P7: TRUE COPY OF THE LETTER DATED 11.11.2006 GRANTING PENSION TO THE PETITIONER.

/TRUE COPY/

PA TO JUDGE.

S. SIRI JAGAN, J.

W.P.(C)NO.8408 OF 2007

DATED THIS THE 27th DAY OF JUNE, 2007

JUDGMENT

The petitioner has been accepted as a freedom fighter entitled to payment of pension under the Swatantra Sainik Samman Pension. However, the pension is not being disbursed to the petitioner is the complaint in this writ petition.

2. The learned Central Government Counsel on instructions submits that although the petitioner has provided details of his bank account for disbursement of pension, the said Bank is not authorised to disburse pension on behalf of the Government of India. The learned counsel submits that if the petitioner gives details of an account in any of the banks, a list of which have already been supplied to the petitioner, the pension would be disbursed immediately.

3. Accordingly, I direct the petitioner to open an account in any of the banks mentioned in the list supplied to the petitioner and inform the details of the said account to the 2nd respondent, on receipt

of which, the 2nd respondent shall disburse the pension due to the petitioner forth with.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

Acd